

[REPUBLIC ACT NO. 1793, June 21, 1957]

**AN ACT CONSTITUTING AN INDEPENDENT PRESIDENTIAL
ELECTORAL TRIBUNAL TO TRY HEAR AND DECIDE PROTESTS
CONTESTING THE ELECTION OF THE PRESIDENT-ELECT AND THE
VICE-PRESIDENT-ELECT OF THE PHILIPPINES AND PROVIDING
FOR THE MANNER OF HEARING THE SAME.**

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. There shall be an independent Presidential Electoral Tribunal to be composed of eleven members which shall be the sole judge of all contests relating to the election, returns, and qualifications of the president-elect and the vice-president-elect of the Philippines. It shall be composed of the Chief Justice and the other ten members of the Supreme Court. The Chief Justice shall be its chairman. If on account of illness, absence, or incapacity upon any of the grounds mentioned in section one, Rule one hundred and twenty-six of the Rules of Court, of any member of the Tribunal, or whenever, by reason of temporary disability of any member thereof, or vacancies occurring therein the requisite number of members of the Tribunal necessary to constitute a quorum or to render a judgment in any given contest, as hereafter provided, is not present, or for any other good reason for the early disposal of the contest, the Chief Justice may designate any retired justice or justices of the Supreme Court as may be necessary, to sit temporarily as Member of the Tribunal, in order to form a quorum or until a judgment in said contest is reached: *Provided, however,* That if no retired justices of the Supreme Court are available or the number available is not sufficient, justices of the Court of Appeals and retired justices of the Court of Appeals may be designated to act as Member of the Tribunal.

SEC. 2. A majority of the Presidential Electoral Tribunal shall constitute a quorum to do business. Unless otherwise specifically provided herein, it may promulgate its own rules and regulations governing the procedure to be followed in the filing and hearing of such contest, authorize any three of its members to receive evidence.

The Presidential Electoral Tribunal shall hear and decide *in banc* all presidential election contests brought under this Act and the concurrence of at least seven members of the Tribunal shall be necessary for a final decision thereon.

SEC. 3. The Presidential Electoral Tribunal shall decide e contest within twenty months after it is filed, and within said period shall declare who among the parties has been elected, or, in the proper case, that none has been elected, and in case of a tie between the candidates for president or for vice-president involved in the contest, one of them shall be chosen President or Vice-President, as the case may be, by a, majority vote of the members of the Congress in joint session assembled.